

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:19-CR-00099-RJC-DCK

USA

v.

ERIC DEWAYNE LEAK

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ORDER

THIS MATTER is before the Court on the defendant's motion to be returned to the custody of the Federal Bureau of Prisons, on which the government takes no position. (Doc. No. 25).

The defendant reported to FCI Petersburg Minimum on January 17, 2019, to begin serving an eighteen-month sentence in Middle District of North Carolina Case Number 1:18-cr-76. (Id. ¶ 1). He made an initial appearance in this District on April 11, 2019, on an Information, (Doc. No. 1), charging him with conspiracy to commit promotional money laundering. The defendant has been detained in the Mecklenburg County Detention Center during the pendency of this action under more difficult conditions than he expected to experience in the designated federal institution. (Doc. No. 23: Response at 3).

After considering supplemental briefing by the parties, the Court found on November 14, 2019, that there was no factual basis for the defendant's guilty plea to a charge involving promotional money laundering. Therefore, the plea was not accepted. Since that time, the record does not reflect any further developments in this case.

IT IS, THEREFORE, ORDERED that the defendant be transferred to the custody of the Federal Bureau of Prisons pending further order of the Court.

The Clerk is directed to certify copies of this order to counsel for the defendant, the United States Attorney, the United States Probation Office, and the United States Marshals Service.

Signed: November 27, 2019

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

